

Article - Natural Resources

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§1–101.

(a) There is a Department of Natural Resources, established as a principal department of the State government. The head of the Department is the Secretary of Natural Resources, who shall be appointed by the Governor with the advice and consent of the Senate. The Secretary shall be an individual with administrative ability, whose reputation and experience demonstrate his interest in the field of natural resources.

(b) It is the intention of the General Assembly, in providing for a Department of Natural Resources, to establish a State department which, in addition to its other functions, shall:

(1) Review and evaluate all natural resources policies, plans, programs, and practices of State, county, regional, and federal agencies and institutions;

(2) Coordinate natural resources activities within the State;

(3) Be a center for collecting and organizing information on natural resources for the guidance of the Governor and the General Assembly; and

(4) Otherwise unify, coordinate, and promulgate policies, plans, programs, and practices which insure the preservation, development, wise use, and enjoyment of all the natural resources for greatest benefits to the State and its citizens.

(c) The Secretary serves at the pleasure of the Governor. He is directly responsible to the Governor and shall counsel and advise him on all matters assigned to the Department. The Secretary is responsible for carrying out the Governor's policies in the areas of natural resources research and development, management, and administration. The Secretary shall receive the salary and have the assistants, employees, and professional consultants provided in the State budget.

(d) (1) (i) The Secretary is responsible for the operation of the Secretary's office and shall establish guidelines and procedures to promote its orderly and efficient administration.

(ii) The Secretary may establish areas of responsibility within the Secretary's office and may reorganize or abolish them as necessary to fulfill the duties assigned to the Secretary.

(iii) The Secretary may appoint such staff assistants as are necessary to administer these areas of responsibility.

(2) The Secretary shall appoint, with the approval of the Governor, a deputy secretary who shall have the duties provided by law or delegated by the Secretary. The deputy secretary is in the executive service of the State Personnel Management System, serves at the pleasure of the Secretary, and shall receive the compensation provided in the State budget. All assistant secretaries, staff assistants, and professional consultants are in the executive service, management service, or are special appointments in the State Personnel Management System and are appointed by and serve at the Secretary's pleasure. Wherever it is provided by law that the Secretary makes an appointment to a particular office within the Department with the approval of the Governor, the Secretary may not remove the appointee without first obtaining the Governor's approval.

(3) Except as otherwise provided by law, the Secretary shall appoint and remove all other personnel in accordance with the provisions of the State Personnel and Pensions Article. The Secretary may delegate his authority to appoint or remove personnel of any unit to the administrator of the unit.

(e) The Attorney General is the legal adviser to the Department. The Attorney General shall assign the number of assistant Attorneys General authorized by law to be assigned to the units of the Department. One of the assistant Attorneys General shall be designated by the Attorney General as counsel to the Department of Natural Resources. The counsel to the Department shall have no other duty than to render, subject to the discretion and control of the Attorney General, the legal aid, advice, and counsel required by the Secretary and the other officials of the Department and, also subject to the discretion and control of the Attorney General, to supervise the other assistant Attorneys General assigned to the Department. After the Attorney General has designated an assistant Attorney General to serve as counsel to the Department of Natural Resources, the Attorney General may not reassign the counsel without consultation with the Secretary. This subsection does not apply to any unit of government within the Department of Natural Resources if the unit is authorized by law to employ its own legal adviser or counsel.

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